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**Committee on the Elimination of Discrimination against Women**

# Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

## Fifth periodic reports of States parties

## El Salvador*

* The present document is being issued without formal editing.

For the initial report submitted by the Government of El Salvador, see CEDAW/C/5/Add.19, which was considered by the Committee at its fifth session. For the second periodic report submitted by the Government of El Salvador, see CEDAW/C/13/Add.12, which was considered by the Committee at its thirteenth session. For the combined third and fourth periodic reports submitted by the Government of El Salvador, see CEDAW/C/SLV/3-4.

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# Contents


| | | Page |
|---|---|---|
| | Introduction | 3 |
| | Part I | 4 |
| I. | Overview | 4 |
| II. | Legislative and other measures implemented for the application of the Convention | 5 |
| III. | Activities of non-governmental organizations | 7 |
| IV. | National machinery for the promotion of equality between men and women | 7 |
| V. | National Policy on Women | 8 |
| | Part II<br>Report on individual articles of the Convention | 10 |
| I. | Articles 2, 3 and 4: Appropriate policies, measures and laws to combat discrimination against women | 10 |
| II. | Article 5: Modification of social and cultural patterns | 11 |
| III. | Article 6: Suppression of the exploitation of women | 14 |
| IV. | Article 7: Participation of women in political and public life | 15 |
| V. | Article 8: International representation | 20 |
| VI. | Article 9: Nationality | 20 |
| VII. | Article 10: Equality of education | 21 |
| VIII. | Article 11: Equality of rights in employment and the workplace | 23 |
| IX. | Article 12: Equal access to health services | 27 |
| X. | Article 13: Right to participate in economic and social life without discrimination | 30 |
| XI. | Article 14: Rights of rural women | 31 |
| XII. | Articles 15 and 16: Civil rights and rights relating to marriage and the family | 33 |

## Introduction

As a State party to the Convention on the Elimination of All Forms of Discrimination against Women, which it ratified in 1981, and in fulfilment of its obligations to eliminate discrimination in all its forms and manifestations, El Salvador hereby submits to the Secretary-General of the United Nations its fifth report, covering the period from 1995 to 1998.

This report includes a summary of the constitutional, legislative and administrative measures taken with a view to modifying the traditional roles of men and women in society.

It provides an overview of social, economic and political aspects of the situation with regard to women's position in the country.

The articles of the Convention are discussed at length and there is a description of action or steps taken to further the advancement of women with a view to securing the exercise and enjoyment of their human rights.

One main theme of the report is the implementation of the National Policy on Women and the use of strategies designed to secure its acceptance in practice by executing agencies, thereby helping to mainstream a gender perspective in all their activities. The report emphasizes the effort made by the lead agency for the National Policy to promote initiatives for bringing about changes in the way in which the various State institutions apply the Policy with a view to enhancing the status and position of Salvadoran women, thereby ensuring that women have equal opportunities with men to participate in national development and fostering shared responsibility between the sexes.

# Part I

## I. Overview

### Population and demographic statistics

In 1995, El Salvador had a population of approximately 5,669,000 inhabitants, of whom 2,892,300, or ___ per cent of the total population, were women.

El Salvador's population is estimated to have increased by some 121,000 persons a year between 1995 and 2000, a growth rate of 2.1 per cent, which means that the country would have some 6,276,000 inhabitants by the year 2000.

In 1995, 43.3 per cent of the population were living in rural areas, where the masculinity index was 101 men for every 100 women and the average age was 17 years. Women predominated in urban areas, however, where the masculinity index was 92 and the average age was 21 years.

In the five-year period from 1995 to 2000, the fertility rate is estimated to have been 3.2 children per woman; it is projected that this rate will continue to decline in the years to come and will be 2.2 children per woman by the five-year period 2020-2025.

In 1995, life expectancy at birth was 67.3 years for men and 74.2 years for women in urban areas and 60.2 years for men and 68 years for women in rural areas.

The infant mortality rate per 1,000 live births was 38 for boys and 33 for girls in urban areas, compared with 50 for boys and 40 for girls in rural areas.

In the five-year period from 1990 to 1995, the net rate of migration from rural to urban areas is estimated to have been 13 per 1,000; in other words, 153,000 people left the countryside during that period, of whom 55 per cent were men aged between 15 and 30 years.

### Education

In 1995, 20.8 per cent of the population was illiterate; by 1998, the rate had fallen to 16.5 per cent.

In urban areas, the illiteracy rate for women was almost twice that for men. In rural areas, however, the rate was favourable, with female illiteracy 20 per cent higher than that of men.

In the 5 to 14 age group, 90 per cent of girls were attending school.

Among boys in the same age group, school attendance at the primary and secondary levels declined from 89 per cent in 1996 to 87 per cent in 1997. In the 15 to 19 age group, the attendance rate for girls increased from 30 per cent in 1996 to 32 per cent in 1997; however, the rate for boys was 1 per cent higher than that for girls in 1996 and 2 per cent higher in 1997.

Budget appropriations for education have undergone some changes. In 1997, 2.4 per cent of the gross domestic product (GDP) was allocated to this sector. Schools have been given an "Educational quality bond", consisting of a transfer of funds from the Ministry of Education aimed at improving the quality of education.

Educational levels were an impact on employment opportunities. According to the 1997 Multi-purpose Household Survey, women wage-earners had a higher educational level than men: 29 per cent of women, as compared with 23 per cent of men, had 10 years of schooling. Educational levels also have an impact on earnings: people with less education earn $105 per month on average, while those with 13 or more years of schooling earn up to $505 per month on average.

The Ministry of Education has managed to expand educational coverage for women, especially rural women, by stepping up the Adult Literacy Programme and the Education with Community Participation (EDUCO) Programme. As a percentage of the total population, 11.96 per cent of women and 7.86 per cent of men are reportedly covered by these programmes.

**Employment**

In 1995, the female economically active population was estimated at 792,729, equivalent to 34 per cent of the total economically active population; of those women, 746,100 had jobs and 46,629 were unemployed.

Twenty-nine per cent of employed women manage to find jobs on the formal labour market. The remaining 71 per cent work in the informal sector, 46 per cent of them fully employed and 25 per cent underemployed.

The average wage for women is 69.1 per cent that for men, but depends on the economic sector, occupational group or institutional sector in which the woman works.

Women's wages appear to be higher than men's in some sectors of the economy, for instance, construction, where in 1995 women earned 268.2 per cent more than men. However, few of these women are construction workers; most hold administrative and/or professional posts.

In 1995, the total economically active population in the public sector was 146,388, compared with 975,363 in the private sector.

In that year, women's wages were 91 per cent those of men in the public sector and 58.6 per cent in the private sector. Women work in traditionally female occupations, for instance, as typists, nursery school teachers or domestic employees, which are not the best paid jobs in the corresponding categories.

There is inequality in the length of the workweek. In the San Salvador metropolitan area, women reportedly work at least one hour more on average than men in the commerce, industry, construction and service sectors.

Trade union membership among women is extremely low; a mere 1.9 per cent of economically active women belong to a trade union, as compared with 9 per cent of economically active men.

## II. Legislative and other measures implemented for the application of the Convention

In 1995, the draft reform of the national educational system was completed, incorporating a gender-based approach and proceeding with the revision of school textbooks.

The Penal Code was adopted by Legislative Decree No. 1030 of 26 April 1997 and entered into force in April 1998. It includes provisions on:

– Sexual harassment, regulated in article 165, which states:

"Anyone who makes unwanted sexual advances involving physical contact or other behaviour which is clearly sexual in nature shall be subject to six months' to one year's imprisonment.

Sexual harassment of a child under the age of 12 shall be subject to six months' to two years' imprisonment.

If the sexual harassment is carried out taking advantage of a position of superiority arising from any relationship with the victim, 30 to 50 days' fine shall also be imposed";

– Domestic violence, regulated in article 200, which states:

"Anyone who commits violence against his spouse or cohabiting partner or against his own or her dependent children, a minor or a person lacking legal capacity who is under his wardship or guardianship or his older relatives, through acts which do not carry a greater penalty under this article, shall be subject to six months' to one year's imprisonment.

In such cases, the Domestic Violence Act shall be applicable first";

– Non-fulfilment of obligations to provide economic support, covered in article 201:

"A parent, adoptive parent or guardian of a child under 18 years of age or a disabled person who deliberately fails to provide the essential means of subsistence required of him under a final enforceable civil judgement or an agreement concluded in the Office of the Procurator-General of the Republic or elsewhere shall be punished by 10 to 30 week days of community service.

Anyone who transfers assets or resorts to any fraudulent means to avoid fulfilling support obligations shall be subject to six months' to one year's imprisonment";

– Job discrimination, article 246:

"Anyone who perpetrates grave discrimination in the workplace on grounds of gender, pregnancy, origin, civil status, race, social status, physical condition, religious or political ideas, membership or non-membership of trade unions and their agreements or family ties to other workers in the company and who does not restore the situation of equality before the law shall, after fulfilling the requirements or administrative penalty compensating for any economic injury, be subject to six months' to two years' imprisonment".

Other measures have been implemented, such as Legislative Decree No. 503 of 9 December 1998, published in *Official Gazette* No. 240, vol. 341, of 23 December 1998, in which special provisions were issued requiring all persons sentenced to pay court-ordered support and receiving employment benefits to pay beneficiaries an additional amount equal to 30 per cent of the benefits received.

In 1998, the municipal council of the country's capital, San Salvador, agreed to institutionalize the round table for gender equity and publicized the proposed plan for equality.

By Decree No. 644 of 29 February 1996, published in *Official Gazette* No. 43, vol. 330, of 1 March 1996, the act on the Salvadoran Institute for the Advancement of Women was approved, in the belief that it was essential to adopt all necessary measures to eliminate all forms of discrimination against women, as well as measures to prevent and eliminate all forms of violence against women.

## III. Activities of non-governmental organizations

Women's organizations participated in the activities carried out before, during and after the Fourth World Conference on Women held in Beijing in 1995, in the establishment of the Salvadoran Institute for the Advancement of Women (ISDEMU), on whose governing body they have two representatives and in the formulation of the National Policy on Women for the period 1997-1999.

Awareness-raising activities were carried out within the Legislative Assembly, culminating in the ratification of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women in August 1995 and the adoption of the Domestic Violence Act in November 1996.

Various women's organizations worked to put the problem of irresponsible fatherhood on the public agenda and secured the adoption by the Legislative Assembly in 1996 of Decree No. 880 empowering judges and the Office of the Procurator-General of the Republic to order employers in the various primary units of autonomous and decentralized State organizations and institutions and employers in the private sector to withhold, in addition to the support payment for the month of December, the equivalent of 30 per cent of the cash or end-of-year bonus, as applicable, received by employees ordered to pay support.

In 1997, on the initiative of women's groups, the Legislative Assembly adopted Decree No. 954 on moral clearance which establishes that, before assuming office, publicly elected officials must provide certification issued by the Office of the Procurator-General of the Republic that they do not owe support payments.

Some women's organizations have engaged in systematic action to promote the equal sharing of family responsibilities and to eliminate abuse against women, by means of radio programmes, television campaigns or press advertisements: "A life without violence", "Responsible fatherhood", "First quarter", "Building bridges", "Let's have a confidential chat", "For a more humane, non-sexist education".

## IV. National machinery for the promotion of equality between men and women

The Salvadoran Institute for the Advancement of Women, established in 1996, proclaimed that "equality of rights and opportunities between men and women and the full participation of women on an equal footing with men in all spheres of society, including decision-making processes and access to power, are essential for achieving equality, as well as development and peace in El Salvador".

The Institute's aim is to formulate, direct, execute, advise on and monitor the implementation of the National Policy on Women, thereby promoting the all-round advancement of Salvadoran women.

Its organizational structure comprises:

(a) A governing board;

(b) An executive board.

The governing board is the Institute's highest authority and consists of the following: a female chairperson who is the head of the National Secretariat for the Family or is designated by the President of the Republic, and the heads of the following institutions or holders of the following positions:

- Ministry of Justice
- Ministry of Education
- Ministry of Labour and Social Security
- Ministry of Public Health and Social Welfare
- Ministry of Agriculture
- Ministry of Public Security
- Attorney-General of the Republic
- Procurator-General of the Republic
- National Counsel for the Defence of Human Rights
- Two representatives of duly registered national non-governmental organizations working for the advancement of women.

## V. National Policy on Women

The international agreements emanating from the Fourth World Conference on Women, held in Beijing in 1995, called for the promotion of national policies and/or strategic plans, in response to the need to eradicate discrimination against women.

The National Policy on Women for the period 1997-1999 forms part of the commitments made in the Government's social plan to develop public policies that will enhance the status of women and establish gender equality. This is the way in which the Government has fulfilled its commitment to implement the Beijing Platform for Action.

The general objective of the Policy is to enhance the status and position of Salvadoran women, thereby ensuring that they have equal opportunities with men to participate in national development and fostering shared responsibility between the sexes.

The Policy was drawn up on the basis of a strategic approach aimed at influencing the nation as a whole through nationwide coverage. Its main target is the female population as a whole, but it covers all inhabitants, female and male, of El Salvador.

It has 10 areas of action:

1. Legislation
2. Education and training
3. Health
4. Women and the workplace
5. Civic and political participation
6. The family
7. Violence
8. Agriculture, fisheries and food
9. Environment
10. Mass media.

The strategy for implementing the Policy is based mainly on a two-pronged institutional effort: (a) the commitment of each institution to fulfil the responsibilities which it has accepted; (b) institutional coordination.

A commission set up within the governing board of ISDEMU will monitor the action taken to implement the Policy, producing an annual report and conducting such evaluations as it deems necessary.

# Part II

## Report on individual articles of the Convention

### I. Articles 2, 3 and 4: Appropriate policies, measures and laws to combat discrimination against women

***States Parties undertake to embody the principle of equality in their national constitutions or other legislation; to adopt measures prohibiting discrimination against women; to establish legal protection of the rights of women on an equal basis with men; to abolish laws and practices which constitute discrimination against women; to ensure the full development and advancement of women; adoption of temporary special measures aimed at de facto equality between men and women.***

Title II of the Constitution establishes the rights and fundamental guarantees of persons.

Article 2 states that:

"Everyone has the right to life, physical and moral integrity, liberty, security, work, property and ownership and to be protected in the preservation and defence of those rights.

The right to honour, personal and family privacy and one's own image is guaranteed.

Compensation in conformity with the law is established for moral injury."

Article 3 establishes the principle of equality:

"All persons are equal before the law. In the enjoyment of civil rights, there shall be no restrictions based on differences of nationality, race, sex or religion."

This provision embodies the principles of legal equality and non-discrimination.

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women was ratified by Decree No. 430 of 23 August 1995. It was considered necessary to ratify that instrument because it makes a positive contribution to protecting women's rights and eradicating the situations of violence that may affect them.

The Domestic Violence Act was adopted by Decree No. 902 of 28 November 1999 in the belief that violence committed by or against any member of the family constitutes a permanent assault on the right to a life free of fear, on the physical, psychological, moral and sexual integrity of the human person and on his or her dignity and security.

A new Penal Code was adopted by Decree No. 1030 of 26 April 1997 and entered into force on 20 April 1998. This Code characterizes domestic violence, sexual harassment and job discrimination as offences. The provision on rape of a

prostitute was deleted because, by making the offence subject to a lesser penalty, it was deemed to constitute discrimination.

The Family Code in force since October 1994 establishes that spouses have equal rights and duties and that both are responsible for housework and childcare.

Article 129 of the Family Procedural Law authorizes judges to order measures of protection. Article 130 establishes measures covering aspects related to: the obligation to refrain from any annoying, harassing, persecutory, intimidating, threatening or other act which causes physical or psychological harm to any member of the family; the barring of the offender from the family home; and the obligation to provide economic support.

The Labour Code prohibits employers from making a distinction, barring or favouring any person on grounds of race, colour, gender, religion, political opinion or national or social origin.

Provisions which discriminated against women by barring their access to employment in the case of unhealthy or dangerous work, which was prohibited for "women and minors", were dropped.

With a view to promoting a non-discriminatory, non-stereotyped image of women through the mass media, an award for reporting which transmits the desired images is being designed.

One aim of the National Policy on Women is to provide physical, psychological, emotional, social and legal assistance to victims of domestic violence, assault and sexual offences and to strengthen the preparation of prospective and diagnostic studies through an information system. In this connection, an inter-institutional committee has been set up under the programme to improve family relations, which provides protection and care to victims of domestic violence. Action is being taken to prevent acts of violence.

## II. Article 5: Modification of social and cultural patterns

***States Parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. They shall ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children.***

### Violence against women

### Legal framework

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women was ratified on 23 August 1995 by Legislative Decree No. 430, upon which, having been signed by the executive branch and ratified by the Legislative Assembly, it became a law of the Republic pursuant to article 144 of the Constitution.

There is a special law against domestic violence: the Domestic Violence Act promulgated by Legislative Decree No. 902 of 28 November 1996 and published in *Official Gazette* No. 241, vol. 333, of 20 December 1996.

Family courts throughout El Salvador are assisted by multidisciplinary teams specialized in dealing with cases of domestic violence which come before the Salvadoran judicial system.

The new Penal Code in force since April 1998 characterizes domestic violence as an offence.

Domestic violence was not regulated in 1995; however, some records exist which may be compared with 1998.

| *Institution* | *1995* | *1998* |
|---|---|---|
| Programme to improve family relations | 1 753 | 3 543 |

The family courts report 3,540 cases of domestic violence from 1996 to 1998:

| *Description* | *1996* | *1997* | *1998* |
|---|---|---|---|
| Domestic violence | 108 | 1 677 | 1 757 |

*Source*: Civil Chamber, Supreme Court of Justice.

The Salvadoran Forensic Medicine Institute reports that, in 1998, the demand for medical examinations of women as a result of domestic violence increased:

| | *Domestic violence (1995)* | *Domestic violence (1998)* |
|---|---|---|
| Men | N/A | 323 |
| Women | N/A | 2 251 |
| **Total** | **675** | **2 574** |

*Source*: Forensic Medicine Institute; Supreme Court of Justice.

With regard to sexual assault, the Forensic Medicine Institute reports a total of 2,384 medical examinations in the San Salvador metropolitan area from 1995 to 1997.

| *Year* | *No. of cases* |
|---|---|
| 1995 | 688 |
| 1996 | 824 |
| 1997 | 872 |
| **Total** | **2 384** |

*Source*: Forensic Medicine Institute; Supreme Court of Justice; San Salvador metropolitan area.

In 1998, several institutions recorded cases of sexual assault:

| *Institution* | *1998* |
|---|---|
| Salvadoran Institute for the Advancement of Women (ISDEMU) | 298 |
| Forensic Medicine Institute | 2 213 |
| Office of the Attorney-General of the Republic | 113 |
| National Civil Police | 385 |

A substantial number of government institutions provide services to women who have been assaulted, including the Salvadoran Institute for the Advancement of Women (ISDEMU), which has a division dealing with violence; the Office of the Procurator-General of the Republic, which has a domestic violence processing unit; the Office of the Attorney-General of the Republic, which has a crimes against minors and women unit; and the department of the family, minors and women of the National Civil Police. Other institutions provide care for victims of violence, including the Ministry of Public Health and Social Welfare and the 1° de Mayo Hospital of the Salvadoran Social Security Institute.

**Programmes and projects**

An inter-institutional committee of the programme to improve family relations has been established, comprising 12 government institutions: the Supreme Court of Justice, the Office of the Procurator-General of the Republic, the Ministry of Education, the San Salvador mayor's office, the Office of the National Counsel for the Defence of Human Rights, the Ministry of Public Health and Social Welfare, the Office of the Attorney-General of the Republic, the Ministry of Public Security, the Salvadoran Institute for the Protection of Minors, the Forensic Medicine Institute, the National Civil Police and ISDEMU. The committee deals with domestic violence in a coordinated manner in order to provide comprehensive physical, psychological, social, medical and legal services.

A programme on "Forging a better community" has been developed in cooperation with the National Civil Police, covering four communities.

The national inter-institutional system of protection against domestic violence has been strengthened.

ISDEMU has a computerized database for which it receives financial and technical support from the United Nations Children's Fund (UNICEF). The database records, classifies and reports data on cases reported as acts of domestic violence, sexual abuse and child abuse.

A single protocol for prospective investigations and inter-institutional reporting mechanisms was established and is being implemented.

The programme to improve family relations has expanded its coverage, with a telephone hotline system operating in the central, western and eastern regions of the country. This system has begun to be modernized, using funds provided by the Inter-American Development Bank for equipment and a computer system, the preparation of manuals, training and publications.

With a view to facilitating women's access to the administration of justice, services have been expanded as follows:

1. Subregional offices of the Office of the Attorney-General of the Republic have been opened in the capital city and in the western, paracentral and eastern regions.

2. Four suboffices of the Office of the Procurator-General of the Republic have been opened (deputy procurator's offices in Apopa, Soyapango, San Marcos and Metapán).

**Modification of social and cultural patterns**

Campaigns against violence have been carried out with the aim of ensuring equality of rights between men and women and eliminating stereotypes. The content of 225 campaigns in 57 government institutions and 666 campaigns in 821 private institutions was reviewed and their messages were found to include the use of sexist language, stereotyped images, incitement to violence or double meanings.

- ISDEMU carried out the campaign "That's enough domestic violence: report it".
- The National Secretariat for the Family carried out the campaign "No one has the right to lay a hand on you".
- The project "Awards for media reporting on violence" was developed.
- The radio programme *Contigo Mujer* was designed and produced. It is broadcast weekly on State radio to publicize progress in implementing the National Policy on Women.
- Public forums were held on language and gender, gender and the press, and images of women in advertising, with the participation of female and male commentators, journalists, magazine editors, publicists and journalism and communications students.

## III. Article 6: Suppression of the exploitation of women

***States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.***

On 26 April 1997, the Legislative Assembly adopted a new Penal Code, which entered into force in April 1998. The new Code abolished the provision formerly contained in article 196 whereby a shorter prison sentence had been established for the rape of a prostitute than for other cases of rape, since the provision's highly stigmatizing effects were deemed to violate the constitutional principle of equality.

The new Penal Code governs inducement to and promotion and encouragement of prostitution in its article 169, which provides that anyone who induces a person under the age of 18 to engage in prostitution or who facilitates, promotes or encourages the prostitution of such a person shall be subject to two to four years' imprisonment. Compulsion to engage in prostitution is dealt with in article 170, which provides that anyone who compels another person, through coercion or by abusing a situation of need, to engage or continue to engage in prostitution shall be subject to one to three years' imprisonment. It also provides that, if the perpetrator

in either case takes advantage of a position of superiority arising from any type of relationship with the victim, 50 to 100 days' fine shall be imposed together with the corresponding prison sentence, and that the term of imprisonment shall be from two to four years if the victim is under the age of 18.

## IV. Article 7: Participation of women in political and public life

***States Parties shall ensure equality in the exercise of political rights, especially the right to vote and to be eligible for election; equal access to public office; and women's participation in non-governmental organizations and associations concerned with the public and political life of the country.***

The Constitution of the Republic provides, in article 72, that citizens have the right to vote, to form political parties in accordance with the law and to join existing parties, and to run for public office, subject to the requirements laid down in the Constitution and secondary legislation.

The obligation to promote the increased civic and political participation of women by encouraging them to exercise their civil and political rights and by promoting female leadership to ensure equal access to power between men and women falls to the Supreme Electoral Tribunal and the Salvadoran Institute for Municipal Development, which will implement the National Policy on Women in this area.

An awareness-raising campaign was carried out on the importance of exercising the right to vote and of providing documents and identity cards to women throughout the national territory.

Seminar-workshops on gender and civic participation have been held for departmental coordinators and managerial and advisory personnel of the Salvadoran Institute for Municipal Development in the country's four regions.

The Supreme Electoral Tribunal has launched a plan to strengthen women's role in society through civic participation.

The electoral roll has been updated with gender-disaggregated statistical data to provide indicators of levels of civic and political participation by Salvadoran women.

### Participation of women in positions of power

The three branches of Government are the executive, legislative and judicial branches.

In the Cabinet, for the period 1994-1998, a woman held the post of Minister of Education.

In the legislative branch, there were 14 women Deputies out of a total of 84 in the period 1994-1997, and a woman Deputy held the post of President of the legislature.

In the judicial branch, two women and 13 men are judges in the Supreme Court of Justice, which is the highest judicial authority.

In the country's 318 offices of justices of the peace, there are 136 women justices. In the 135 courts of first instance, there are 48 women judges. In a total of 48 appellate courts, there are four women judges.

In the municipal governments, women's representation as heads of town and city councils has tended to decline: in the period ending in 1994, 30 per cent of the country's mayors were women, whereas only 12.21 per cent were women in the period 1994-1997.

A woman is currently serving as National Counsel for the Defence of Human Rights.

The National Civil Police has increased its personnel in 219 police units, including urban and rural police stations, substations and police posts. From a total of 4,000 in 1994, the number had risen to 16,181 by 1998.

**Right of women to organize**

Women's organizations or organizations with women members are not a recent development, but have been established at various times. However, during the reporting period, the members of the Women's Initiative for Equality in Political Participation prepared the "Platform of Salvadoran Women, 1997-2000", which is an updated version of the platform elaborated by the women's movement in 1994.

The Platform's agenda was described as an autonomous one, expected to produce positive results for the new millennium, including changes in the political, economic and social balance of power. This change would represent an indicator of the human development to which Salvadoran women of all social strata aspire.

A diagnostic study was prepared on the situation of women in El Salvador and served as a reference for the elaboration of the Platform. The corresponding part of the Platform is divided into five areas: development; economic issues; social issues, including education, violence, health and housing; legal issues; and political life. The third part of the document demands the recognition of women's rights in the following areas:

A. Sustainable human development, including:

(i) Women's participation in programme planning and implementation;

(ii) The establishment and operation of a commission in which women would elaborate, implement, monitor and evaluate social and development policies;

(iii) The establishment of community services such as child development centres, mills, laundries, community kitchens, etc.;

(iv) Diagnostic studies with a gender perspective.

B. Actions with respect to the economy and employment, including:

(i) Job-creation policy;

(ii) Application of the Free Zones and Bonded Areas Act;

(iii) Equal pay for men and women;

(iv) Measures to prevent discrimination on grounds of maternity, and sexual harassment;

(v) Review of working conditions with a view to improving them;

(vi) Training in organization and administration of cooperatives for women in the informal sector, to enable them to organize;

(vii) Programmes for obtaining credit;

(viii) Research on mistreatment of women in the informal sector;

(ix) Establishment of permanent market stalls for women working in markets;

(x) Training for women domestic workers to inform them of their rights;

(xi) Participation of women members of rural organizations in the formulation, design, monitoring and follow-up of agrarian policies;

(xii) Land grants for rural women;

(xiii) Implementation of special training programmes on financial management, business cooperatives and agricultural production techniques;

(xiv) Access to credit for rural women;

(xv) Establishment of community services;

(xvi) Payroll registration of women day labourers;

(xvii) Equal pay for women day labourers;

(xviii) Establishment of women's secretariats within the boards of directors of cooperatives;

(xix) Establishment of women's development banks and development finance companies;

(xx) Credit lines on soft terms for women entrepreneurs;

(xxi) Implementation of a job-creation policy;

(xxii) Follow-up to ILO Convention No. 111;

(xxiii) Parity in vocational training;

(xxiv) Establishment of legal mechanisms to punish violations of labour rights;

(xxv) Priority for enterprises that generate high value added;

(xxvi) Review of land ownership laws to ensure that rural women have access to land.

C. The social sphere, including:

– The educational system, which requires:

(i) Mainstreaming of a gender perspective throughout the school system;

(ii) The guarantee of free education;

(iii) Training in gender theory;

(iv) Promotion of women's participation in technical and advanced university studies;

(v) Creation of gender studies departments in universities;

(vi) Establishment of specialized documentation centres;

(vii) Sex education in the curriculum;

(viii) Family life education;

(ix) Validation of the study of non-traditional occupations in schools;

(x) Establishment of scholarships for training in such occupations;

(xi) Training centres in rural areas;

(xii) Ongoing campaigns on women's incorporation into non-traditional occupations, under the responsibility of the Ministry of Education and the Salvadoran Institute for the Advancement of Women (ISDEMU);

(xiii) Non-discrimination against pregnant teenagers in educational institutions;

(xiv) A larger budget for literacy programmes;

(xv) Development of women's artistic potential;

(xvi) Establishment of centres for training in the arts.

- Violence against women, including:

(i) Incorporation into the formal school curriculum at all levels;

(ii) Elimination of messages that incite violence or present stereotyped images of women;

(iii) Campaigns highlighting the effects and consequences of violence;

(iv) Self-defence for girls;

(v) Promotion and publication of research on the incidence of the various forms of violence, and many more measures to eradicate violence.

- The health care system, which requires:

(i) Primary care;

(ii) Free medicine and medical care;

(iii) Information on contraceptive methods;

(iv) Free and confidential AIDS testing;

(v) Non-discrimination in the treatment of women prostitutes;

(vi) Establishment of specialized comprehensive care centres;

(vii) Non-privatization of health care services;

(viii) Specialized training for midwives.

- Housing, including:

(i) The need to review legislation;

(ii) Affirmative action to ensure women's access to housing;

(iii) Abolition of eviction policies.

D. Legislation, including:

1. A general component on:

(i) Judicial reform;

(ii) Establishment of a standing commission of women lawyers;

(iii) Recognition of maternity as a choice;

(iv) Adoption of a law increasing economic support percentages.

2. With respect to violence:

(i) Effective mechanisms to implement the Domestic Violence Act;

(ii) Characterization of rape as an offence subject to public prosecution;

(iii) Elimination of stereotypes in legal provisions, as in the case of the provision on rape of a prostitute;

(iv) Characterization of sexual harassment as an offence;

(v) Regulations on the image of women presented in the media.

3. With respect to labour law, special mention should be made of:

(i) The ILO conventions on women's rights which have not been ratified;

(ii) Equal pay;

(iii) Review of legislation on women domestic workers;

(iv) Establishment of regulations concerning sex workers;

(v) Human rights guarantees for women itinerant workers.

4. With respect to agrarian law: The need to ensure women's access to land ownership.

5. In relation to the Family Code:

(i) Amendments to articles 7, 21, 46 and 108;

(ii) Increase in economic support payments.

6. On prison law: Recognition of the human rights of women prisoners.

E. Political and civic participation, including the need for:

(i) Quotas for public office;

(ii) Elaboration of women's rights-oriented agendas;

(iii) Quotas for participation in political parties;

(iv) Reform of article 85 of the Constitution;

(v) Mandatory "moral clearance" for public officials (certification that support obligations have been met);

(vi) Amendments to the Electoral Code.

## V. Article 8: International representation

***States Parties shall ensure to women, on equal terms with men, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.***

During the reporting period, the Government was represented by the President of the National Secretariat for the Family — a woman — at international events relating to the rights of women and the family:

1. Formation of the Regional Council of Women
2. International Forum on Population
3. Second International Conference on Women in Agriculture
4. Meetings on Central American social integration
5. Seminar on Social Programmes, Poverty and Citizen Participation
6. Seminar on Promoting Human Coexistence: A Framework for Action
7. Human development consultation.

During the same period, a woman Deputy served as the country's representative on the Inter-American Commission of Women of the Organization of American States (OAS).

## VI. Article 9: Nationality

***States Parties shall grant women equal rights with men to acquire, change or retain their nationality.***

Since nationality is the political and juridical link between a person and his or her State or nation, article 90 of the Constitution states that: "*The following are Salvadoran by birth: 1. Persons born in the territory of El Salvador; 2. Children born abroad of Salvadoran fathers or mothers; 3. Persons originating in the other States comprising the Federal Republic of Central America who, being domiciled in El Salvador, indicate to the competent authorities their wish to become Salvadoran, without having to renounce their nationality of origin.*"

Article 91 establishes that: "*Salvadorans by birth have the right to dual or multiple nationality. The status of Salvadoran by birth is lost only if expressly renounced before a competent authority and may be recovered by petition before the same.*"

The Family Code provides for the rights of minors in article 351, which establishes that all minors have the right: "*3. To hold from birth and to retain at all times their name, nationality, legal representation and family ties and to benefit from an identification system that guarantees their real maternal and paternal filiations*".

Boys and girls are registered in the family status register at the time of their birth. The municipalities of the Republic are responsible for maintaining local registers.

## VII. Article 10: Equality of education

***States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and, in particular, to ensure the same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in rural as well as in urban areas; access to the same curricula; the elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education; the same opportunities to benefit from scholarships; the same access to programmes of continuing education; the organization of programmes for women who have left school prematurely; participation in sports; access to information on family health and advice on family planning.***

Article 53 of the Constitution of the Republic provides that: *"The right to education and culture is inherent to the human person; in consequence, the preservation, promotion and dissemination of this right is an obligation and primary end of the State. The State shall promote research and scientific activity".*

Article 54 of the Constitution refers to the organization of the educational system, for which the State is to establish the necessary institutions and services.

The objectives of education are set forth in article 55 and include: achieving the full development of the personality in its spiritual, moral and social dimensions; contributing to the construction of a more prosperous, just and humane democratic society; inculcating respect for human rights and the observance of the corresponding obligations; ensuring that parents have a prior right to choose the kind of education that shall be given to their children.

All inhabitants of the Republic have the right and the duty to receive pre-school and primary education that equips them to become useful citizens. The State is to promote the establishment of special education centres. The teaching provided in official educational establishments is to be essentially democratic.

Article 58 stipulates that no educational establishment shall discriminate against a person because of the marital status of his or her parents or guardians or because of social, religious, racial or political differences.

Article 61 establishes that higher education shall be governed by a special law and that the State shall be responsible for ensuring that institutions of higher education function democratically and are of a suitable academic level.

An educational reform process has been launched in El Salvador in which "gender equity" is a value incorporated at all stages of the process. The Minister of Education proclaimed 1995 the "Year of National Consultation on Education".

The National Consultative Forum on Educational Reform organized by the promotional committee was set up for two basic purposes:

1. To promote dialogue; and
2. To generate educational proposals.

Proposals would cover 13 points: early education, basic education, secondary education, educational management, non-formal and informal education, vocational training, economic and financial aspects, higher education, teacher training,

education and culture, rural education, upgrading of education, and special education.

The results of the Forum would serve as an input for the reform process already under way.

Since 1994, there has been an increase in public funds for education, which in 1997 amounted to 2.4 per cent of GDP as opposed to 1.6 per cent in the early 1990s.

The World Bank found that, in 1990, spending on textbooks, teaching materials and other essential operational inputs amounted to less than $1.00 per student per year. Average investment per child was 69 colones in 1997.

Programmes have been carried out to reduce illiteracy, which is seen as a constraint on the country's development.

**Illiteracy rate**

| *1995* | *1996* | *1997* | *1998* |
|---|---|---|---|
| 20.8% | 19.5% | 17.4% | 16.5% |

One of the objectives of the National Policy on Women in this area is to increase the enrolment and retention ratios for girls.

**Enrolment ratio by sex and age group**

| | *Age 5-14* | *Ratio* | *Age 15-19* | *Ratio* |
|---|---|---|---|---|
| **Year 1996** | | | | |
| Girls | 625 028 | 90% | 105 276 | 30% |
| Boys | 635 942 | 89% | 109 258 | 31% |
| **Year 1997** | | | | |
| Girls | 638 927 | 90% | 112 660 | 32% |
| Boys | 643 298 | 87% | 119 363 | 34% |

The number of girls in the 15-19 age group can be seen to have increased by 2 per cent between 1996 and 1997, as compared with 3 per cent for boys. Adolescent girls who have reached childbearing age and are in a position to become family breadwinners are at a disadvantage.

**Programmes and projects**

One component of the Adult Literacy Programme implemented by the Ministry of Education was the "Education for Work" project, designed as a non-formal continuing education alternative for the newly literate and involving courses taught at integrated basic adult education centres. The vocational courses on offer included: dressmaking, metalwork, construction, food preparation, hotel work and tourism.

The "Healthy Schools" programme began in 1995 as a pilot plan aimed at improving the health, education and nutritional status of pre-school, primary and secondary school pupils in the rural and marginal urban areas of the country's most

vulnerable municipalities. Its executing agencies include the Ministry of Education, the Ministry of Public Health and Social Welfare and the National Secretariat for the Family.

Of the beneficiaries of the Distance Learning Programme run by the Ministry of Education, 52 per cent are women and 48 per cent are men.

The "Education with Community Participation" (EDUCO) Programme operates in 1,700 communities in which distance education has been promoted.

**Action taken**

Local inter-institutional coordination for carrying out literacy programmes was established between the Ministry of Education and 50 governmental and non-governmental organizations.

The Board of Education was approached to introduce a gender perspective in academic curricula.

The study of domestic violence was included in the social psychology syllabus for the baccalaureate and in university courses in medicine and forensic science.

A gender perspective was incorporated in the student leadership workshops at youth camps.

Topics relating to a gender perspective were included in the *Identidad Joven* and *Clase*, magazines published by the Ministry of Education.

Textbooks and teaching manuals for all educational levels were revised to ensure that sexist language was eliminated.

The Higher University Council was approached to introduce a gender perspective in the academic training curriculum and a proposal for incorporating a gender perspective in advanced academic courses was formulated.

The cross-cutting component of population education and a gender perspective was introduced and strengthened in teacher-training curricula.

Women-specific areas were created in the documentation centres of the western, eastern and central educational regions of the country and in the Information Services Unit of the National Evaluation Department of the Ministry of Education.

The "educational quality bond" was issued to meet the immediate needs of 3,593 educational centres.

## VIII. Article 11: Equality of rights in employment and the workplace

***States Parties shall ensure to women, on the basis of equality with men, the right to work, to the same employment opportunities, to the application of the same criteria for selection in matters of employment, and to all benefits and other conditions of service.***

Women encounter serious obstacles in entering the workforce because of their family responsibilities, housework and motherhood. In 1995, the economically

active female population was 792,729, equivalent to 34 per cent of the total workforce, of whom 746,100 were employed and 46,629 were unemployed.

**Breakdown of the economically active population by sex, 1995**

| *Breakdown* | *Total* | *Men* | *Women* | *% Women* |
|---|---|---|---|---|
| Total economically active population | 2 136 450 | 1 343 721 | 792 729 | 34.0 |
| Employed | 1 973 017 | 1 226 917 | 746 100 | 37.8 |
| Unemployed | 163 433 | 116 804 | 46 629 | 28.5 |

*Source*: Multi-purpose Household Survey, 1995.

Women account for the majority of workers in the informal sector, where they are either fully employed or underemployed.

**Breakdown of the economically active population by labour market and sex**

| *Labour market* | *1995 Men* | *1995 Women* | *% Women* |
|---|---|---|---|
| Formal sector | 377 787 | 215 905 | 36.4 |
| Informal sector | 259 534 | 268 525 | 50.9 |
| Fully employed | 464 621 | 299 172 | 39.2 |
| Underemployed | 172 700 | 185 258 | 51.8 |

*Source*: Multi-purpose Household Survey, 1995.

The National Economic Development Plan drawn up in early 1995 established, inter alia, a human resources development policy, calling for better training of the national workforce and private sector participation with a view to increasing employment and wages.

**Women's wages as a percentage of men's wages, by occupational group**

| *Occupational group* | *1995* | *1996* | *1997* |
|---|---|---|---|
| Professionals | 84.5% | 77.3% | 68.5% |
| Technical workers | 78.9% | 93.5% | 94.6% |
| Office workers | 96.2% | 104.6% | 98.7% |
| Skilled and unskilled workers | 57.9% | 50.5% | 55.3% |

*Source*: Multi-purpose Household Surveys, 1995, 1997.

A look at women's wages expressed as a percentage of men's wages by sector of activity reveals an anomaly in the construction sector. This is because women in that sector tend to occupy administrative and/or professional positions rather than being employed as construction workers.

**Women's wages as a percentage of men's, by sector of activity**

| *Sector of activity* | *1995* | *1997* |
|---|---|---|
| Industry | 61.4% | 70.5% |
| Construction | 268.2% | 176.0% |
| Commerce | 51.7% | 58.1% |
| Services | 58.2% | 79.5% |

*Source*: Multi-purpose Household Surveys, 1995, 1997.

**Women in the in-bond assembly sector (*maquila*)**

One employment sector where women predominate is in-bond assembly (*maquila*). In 1995, the percentage of women working in that sector compared with other production sectors was 35 per cent, and 30 per cent compared with other economic sectors.

The expansion of free zones and *maquila* companies has been seen as fundamental to job creation in the country. In 1995, there were 83,000 jobs in the *maquila* sector. The year before, 25,622 such jobs were created in 22 companies, while 79 other companies employed 17,695 people.

**Women in the informal sector**

Women represent a significant proportion of workers in the informal sector of the economy. According to the 1997 Multi-purpose Household Survey, women accounted for 42.8 per cent of persons employed in that sector.

**Participation of women and men in the urban informal sector, by sector of activity, 1997**

| *Sector of activity* | *% Women* | *% Men* |
|---|---|---|
| Industry | 55.0 | 45.0 |
| Commerce | 67.1 | 32.9 |
| Services | 77.9 | 22.1 |
| Construction | 0.1 | 99.0 (ssic) |
| Transport and communications | 3.7 | 96.3 |
| Agriculture | 4.3 | 95.7 |
| Financial institutions | 47.7 | 52.3 |

*Source*: Multi-purpose Household Survey, 1997.

**Maternity protection**

Maternity should not prevent women from exercising their right to work or be grounds for discrimination.

Articles 110, 113 and 309 of the Labour Code regulate maternity benefits. Article 110 states that: "employers shall not assign pregnant women any work requiring physical effort incompatible with pregnancy. It is assumed that any work

requiring considerable physical effort is incompatible with pregnancy after the fourth month".

Article 113 provides that "As soon as pregnancy begins and until the end of the post-natal leave, de facto dismissal or dismissal resulting from prior legal proceedings shall not lead to the termination of a female worker's contract, unless the cause of such dismissal predates the pregnancy; however, even in the latter case, dismissal shall not take effect until immediately after the end of the above-mentioned period of leave".

Article 309 concerns the employer's obligation to grant pregnant working women 12 weeks of maternity leave, six of which must be taken after the child is born, and to pay them in advance the equivalent of 75 per cent of the basic wage during such leave. It also establishes that any illness resulting from the pregnancy must be certified by a medical practitioner; in this case, the worker shall be entitled to supplementary prenatal leave. When confinement occurs after the due date, the leave taken prior to confinement shall always be extended until the actual date of confinement and the duration of the mandatory post-natal leave shall not be reduced.

The Labour Code includes a provision on breastfeeding. Article 312 (2) and (3) stipulates that:

> "If a woman worker is breastfeeding her child, she shall be entitled to a break of up to one hour a day for this purpose. At her request, this break may be divided into two 30-minute breaks.
>
> "The break provided for in the preceding paragraph shall be counted as time worked and shall be paid accordingly".

**Sexual harassment**

The Penal Code which entered into force in April 1998 established a new offence, sexual harassment, which is an assault on sexual freedom involving unwanted physical contact and behaviour of a clearly sexual nature. If the harassment is carried out taking advantage of a position of superiority arising from any relationship with the victim, 30 to 50 days' fine is added to the penalty of six months' to one year's imprisonment.

**Action taken**

The Ministry of Labour and Social Security and the Salvadoran Vocational Training Institute (INSAFORP) are responsible for implementing the National Policy on Women.

The following activities have been carried out:

1. Adoption of 122 internal company statutes.

2. Submission to the President of the Republic of a legal study of ILO Conventions Nos. 100 and 156 with a view to their adoption and subsequent ratification by the Legislative Assembly.

3. Preparation of a women's rights awareness plan to be implemented through the various media.

4. Production of 10,000 posters with five different designs:

(a) Women, your work counts, so make your rights count too.

(b) Ensuring workplace health and safety is everyone's responsibility.

(c) Need a job? We are doing our best to help you find one.

(d) Cutting short a child's future is easy.

(e) Did you know that as a worker you have these rights?

5. Publication of 14,000 leaflets with seven different themes:

(a) Because your work is important to us, so is your well-being.

(b) Did you know you have these rights? A minimum wage, an established work week and vacations.

(c) Need a job? We'll do our best to help you find one.

(d) Children: cutting short a child's future is easy.

(e) Ensuring workplace health and safety is everyone's responsibility.

(f) With harmony at work, everything works better.

(g) There are lots of ways to settle a conflict, but with mediation you can resolve it.

6. The second phase of the HABIL 98 Programme was conducted, with the participation of 6,150 men and 7,614 women.

7. INSAFORP has assumed commitments to ensure that women have equal access to effective vocational training, retraining, advice and placement services which go beyond traditional occupations, with support from the project to develop the vocational training system in El Salvador.

8. The Ministry of Labour has incorporated placement services in its work. In the period 1995-1997, more men were placed than women in virtually all sectors of economic activity.

## IX. Article 12: Equal access to health services

***States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including family planning. They shall also ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.***

Comprehensive health care is fundamental to the full development of women. Training and information on sexual and reproductive health would help to reduce teenage and unwanted pregnancies and also abortions. Health issues should be addressed by seeking alternatives which promote physical and mental well-being and provide health care tailored to the needs of women, girls and adolescent girls.

The 1994-1999 Government Plan includes a section on health and nutrition that is designed to provide quality health care with equity for all through the following measures:

(a) Increasing the coverage, equity and quality of health services;

(b) Improving efficiency and competitiveness in health services;

(c) Reducing infant mortality and improving nutritional levels;

(d) Improving women's health;

(e) Expanding community and health education programmes.

The overall aim of the 1994-1999 National Health Plan is to improve the level of health of the Salvadoran people by modernizing the health sector and developing inter-institutional programmes aimed at providing comprehensive health care for individuals and reducing risks and damage to the environment. There are nine specific policy areas, the second of which aims to improve the health of the population by reducing morbidity and mortality rates for the illnesses most prevalent in the country by implementing strategies to, inter alia, promote appropriate women's reproductive health care.

Maternal mortality is one of the leading causes of death in women of childbearing age in the developing countries. Statistics from the Ministry of Public Health and Social Welfare indicate that, in 1995, 38.9 per cent of maternal deaths occurred among nulliparas and primiparas, followed, at 37 per cent, by multiparas having given birth to more than four children. In 1996, the institutional maternal mortality rate was 68 per 100,000 live births.

According to Ministry of Health statistics for 1995, 39.6 per cent of births took place in an institutional setting, while 21.9 per cent were attended by a trained birth attendant. Post-natal care was provided in 28 per cent of cases. Caesarean births accounted for 24 per cent of births. In-hospital abortions accounted for 11.7 per cent of all in-hospital births. With regard to the prevention of gynaecological cancers, some 15.3 per cent of the women aged 15 to 59 are estimated to have received care from the Ministry of Health, with 10.5 per cent, or 20,669 women, presenting pre-invasive lesions and 0.23 per cent, or 455 women, presenting invasive ones.

The maternity hospital statistical report identifies the following causes for morbidity for the first five months of 1998:

| *Causes of morbidity* | *Number of women* |
|---|---|
| 1. Minor cervical dysplasia | 6 169 |
| 2. Carcinoma located in the uterus | 2 680 |
| 3. Lemioma of the uterus | 1 640 |
| 4. Utero-vaginal prolapse | 1 520 |
| 5. Malignant tumour of the cervix | 1 240 |
| 6. Benign breast tumour | 1 080 |

According to the 1998 National Family Health Survey (FESAL), 97.1 per cent of women of childbearing age are familiar with at least one contraceptive method, but only 38.32 per cent use contraception. Women's preferred methods are:

| *Method* | *Percentage* |
|---|---|
| Female sterilization | 21.9 |
| Hormone injections | 5.2 |
| Oral contraceptives | 4.8 |
| Rhythm/Billings method | 1.8 |
| Condom | 1.6 |
| Withdrawal | 1.6 |
| Intrauterine device | 1.0 |

## HIV/AIDS

AIDS merits special attention in the context of sexually transmitted diseases. The first cases were recorded in El Salvador in 1984; in December 1996, there were 1,786 reported cases, of whom 269 died; in 1997, the number of cases rose to 2,099; the male to female ratio of AIDS cases was 3 to 2, with most cases (75 per cent) being the result of heterosexual transmission and the lowest number of cases (0.6 per cent) being the result of blood transfusions. Most cases (68.1 per cent) occur in the 15 to 39 age group. Among HIV-positive women of childbearing age, 13.7 per cent are adolescents and 57.1 per cent are in the 20 to 29 age group. Among women with AIDS, 7.5 per cent are adolescents and 46.9 per cent are in the 20 to 29 age group.

The National AIDS Prevention Programme, which was launched in 1989 for an initial 10-year period and is still under way, is aimed at interrupting the chain of HIV transmission through education on sexual and perinatal prevention and screening blood and blood products, reducing the social impact on individuals and communities and conducting epidemiological surveillance for HIV/AIDS.

### Action taken

The health sector objective of the National Policy on Women is to improve women's health by meeting the various needs arising at different stages of their lives, improving the quality of services and educating health service professionals and technicians in a gender perspective, as well as increasing the health information and education provided to women themselves.

The Ministry of Public Health and Social Welfare is responsible for implementing the Policy through its departments, programmes and support offices.

An Inter-Institutional Committee on Reproductive Health has been created, comprising representatives from the Ministry of Health, the Salvadoran Social Security Institute, the Salvadoran Population Association, the Maternal and Child Health Project and the armed forces medical service, to review and adjust the mechanisms for monitoring and evaluating the quality of care in the health services.

An Advisory Committee on Education, made up of representatives from universities that have medical schools, has been set up to coordinate teaching standards, update curricula and suggest syllabus changes.

Research has been conducted on teenage pregnancies in four of the country's departments.

A plan has been developed for ongoing reporting on HIV/AIDS.

The law on bloodbanks is being amended.

The Health Code is being amended with the participation of the various institutions in the health sector.

Health sector laboratories are being strengthened to increase health-care coverage.

The Statistical Office of the Ministry of Public Health and Social Welfare is being restructured into a Coordination, Monitoring and Evaluation Office.

## X. Article 13: Right to participate in economic and social life without discrimination

***States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular: (a) the right to family benefits; (b) the right to bank loans, mortgages and other forms of financial credit; (c) the right to participate in recreational activities, sports and all aspects of cultural life.***

The Labour Code contains a provision on breastfeeding.

Article 312 stipulates that:

*"If a woman worker is breastfeeding her child, she shall be entitled to a break of up to one hour a day for this purpose. At her request, this break may be divided into two 30-minute breaks.*

*The break provided for in the preceding paragraph shall be counted as time worked and shall be paid accordingly".*

Persons who have been sentenced to pay court-ordered support for minors are now required to ensure that those payments are actually made and also to pay beneficiaries an additional amount equal to 30 per cent of any benefits received. This provision was established in Legislative Decree No. 503 of 9 December 1998, published in *Official Gazette* No. 240, vol. 341, of 23 December 1998.

With regard to families, programmes such as the "**social compensation programme for pre-school children, pregnant women and nursing mothers**" have been implemented.

The programme's objective is to help improve the family's food security and prevent malnutrition in at-risk girls and boys between the ages of six months and five years, pregnant women and nursing mothers.

With regard to bank loans, two projects have been developed:

**(a) Banks for progress**

The aim is to contribute to the advancement of women heads of household by giving them easy access to credit through self-employment and savings. Women are given what are known as "self-help" loans, which provide a source of financing and help encourage the habit of saving among programme users, while combating usury. The programme is in effect in 145 municipalities, covering a little over 56 per cent of the country, and 90 per cent of users are women.

**(b) Servicrédito**

The Agricultural Development Bank had created a special line of credit, called Servicrédito. This is a credit and technical assistance programme aimed at men and women in the urban informal sector.

The National Secretariat for the Family has taken a number of steps to provide recreational facilities for families, such as:

1. **Construction of the Parque de la Familia;**
2. **Construction of the "Parque de mi Pueblo" and the Parque del Recreo;**
3. **Rebuilding of the national zoo;**
4. **Construction of a children's museum.**

Studies have been undertaken with a view to renovating four of the workers' recreation centres run by the Ministry of Labour.

Recreational and socio-cultural projects have been implemented in four departments of the country for working women in the private sector and their children.

Working women's football, softball, basketball and volleyball teams have been set up.

## XI. Article 14: Rights of rural women

***States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.***

In this area, the Ministry of Agriculture and its centralized and decentralized institutions are responsible for promoting women's rights to land ownership and their access to land, resources, work, markets and trade, and for updating agrarian law and the legal regulatory framework for agricultural cooperatives.

**Revision of legislation**

Two agrarian laws that contain provisions discriminating against women have been identified and revised, namely, the proposed amendments to the special act on

the assignment and use of rural lands that exceed the size limit and the proposed amendment to the act establishing a special regime for lands belonging to communal cooperative associations and rural community associations.

**Projects carried out**

Promotion of 111 gender-based projects for 3,310 farmers (1,324 women and 1,986 men).

With regard to the implementation of market systems, the farmers' market programme as an alternative organized marketing mechanism was strengthened.

Market price indicators were published in 3,750 bulletins, which were distributed as part of an information campaign in the media.

Organizational projects involving the women's participation on community boards and in social service organizations were carried out.

Other projects (15) were carried out to help alleviate the burden of housework.

A pilot day-care centre is being operated for the children of women working in irrigation districts.

**Gender training for the staff of institutions**

- Project leadership staff of the Department of Rural Development.
- Administrative and technical staff of the various units of the Ministry of Agriculture.

**Training and advisory services for men and women farmers**

A number of motivational, training and advisory workshops were held for women leaders and men and women farmers; covering introductory-level subjects, animal production, organic farming, integrated pest management, soil conservation and agroforestry.

Advisory services were provided to 72 community organizations for the development of activities incorporating a gender perspective.

**Promotion of women's participation in agricultural health and quality-control activities**

In preparation for 10 vaccination campaigns for cows, pigs, poultry and horses, workshops were held to train men and women leaders as outreach workers.

Fifteen women and 57 men were trained in prevention and management techniques with a view to beginning pig, cow, horse and poultry farming.

Women farmers attended 221 talks on artificial insemination and livestock feed.

Fifty-three courses were held on artificial insemination and livestock feed, with the participation of 439 men and 158 women.

Thirty information workshops on phytosanitary rules were held.

**Training workshops to improve agro-industry**

Forty women and 11 men received training in primary agro-industrial processing and microenterprise.

Training in making bamboo crafts was provided to 37 men and 35 women farmers.

One hundred and fifty women received training on poultry diseases and 16 women are applying management techniques for raising native poultry breeds in captivity.

Five training programmes in tomato and bell pepper cultivation were carried out for 63 women and 11 talks were given on new varieties of bell pepper, with the participation of 60 women.

Ten training activities were organized on vegetable pest management and integrated pest management for pineapple, musaceae and citrus crops, with the participation of 115 women.

Training in soil fertility was provided to 195 women; 70 women farmers participated in two courses, nine field trips and eight demonstrations on the transfer of five technologies for conservation and management of microwatersheds; 147 women farmers had access to soil laboratory analysis, rapid field diagnosis and field visits; 525 women participated in the preparation of organic fertilizer; and 71 women participated in the processing of vegetables.

Cheese-processing techniques were taught to 12 women.

Training in agroforestry technologies was provided to 43 women.

Environmental education was provided to 61 women.

Thirty-six women participated in nine post-harvest training workshops and 31 in training on the management of medicinal plants.

**Promotion of women's participation in food security policies and strategies**

Extension services were provided to 3,668 women farmers; these services benefited 10,700 women farmers.

One hundred families are adopting soybean management and processing technologies.

The use of metal silos for grain storage has been promoted with a view to obtaining better market prices.

## XII. Articles 15 and 16: Civil rights and rights relating to marriage and the family

***States Parties shall accord to women equality with men before the law.***

***States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations.***

Article 32 of the Constitution establishes under Chapter II, Social Rights, Section One, The Family, that: *"The family is the fundamental basis of society and*

*shall have the protection of the State, which shall enact the necessary legislation and create the appropriate organizations and services for its integration, well-being and social, cultural and economic development.*

*"The legal foundation of the family is marriage and it is based on equality of the spouses before the law.*

*"The State shall encourage marriage, but the absence of marriage shall not affect the enjoyment of any rights that may be established in favour of the family".*

Article 33 states that: *"The law shall regulate the personal and economic relations between spouses, and between them and their children, establishing reciprocal rights and duties on an equitable basis, and shall create the institutions necessary to guarantee their application. It shall likewise regulate the family relations resulting from a stable union between a man and a woman".*

Article 36 states that: *"Children, whether born in or out of wedlock, and adopted children shall have equal rights with respect to their parents. Parents have an obligation to provide their children with protection, assistance, education and security.*

*"The records of the Civil Registry shall not indicate the nature of the filiation, nor shall the civil status of the parents appear on the birth certificate.*

*"All persons have the right to a name that identifies them. This matter shall be regulated by secondary legislation.*

*"The law shall also determine how paternity shall be investigated and established".*

Article 4 of the Family Code sets out the following guiding principles: *"The unity of the family, equality of rights of men and women, equality of rights of children and comprehensive protection of minors and other persons lacking legal capacity, older persons and mothers when they are the sole head of household".*

The Family Code regulates the personal and economic relations between spouses. Article 36, paragraph 1, states that: *"Spouses have equal rights and duties, and since they have decided to share their lives, they must live together, be faithful to one another and assist each other in all circumstances and situations".*

With regard to residence, article 37 states that: *"The spouses shall together choose their place of residence and shall manage all their household affairs by mutual agreement".*

Cooperation is governed by article 39, which states that: *"Neither spouse may restrict the right of the other to perform lawful activities, pursue studies or acquire knowledge; to this end, they must cooperate with and assist each other, organizing life in the home so that such activities, acquisition of knowledge or studies do not prevent fulfilment of the duties imposed on them by this Code.*

*"Housework and child care shall be the responsibility of both spouses".*

Under article 211, both parents are responsible for bringing up the children *"with great care, providing them with a stable home, adequate food and everything necessary for the normal development of their personality, until they come of age. In caring for the children, they must take into account the child's capacities, skills and inclinations.*

*"When children come of age and continue studying, making good use of their time and achieving good results, the parents must support them until they finish their studies or take up a profession or occupation.*

*"The parents have the obligation to care for their children from the moment of conception.*

*"When parents do not live together or are separated or divorced, the personal care of the children shall be the responsibility of either one of them, as agreed between them"* (article 216, paragraph 2).

With regard to relations and treatment, article 217 states that: *"Even when they do not live with their children, parents shall maintain an emotional relationship with them and treat them in a way that fosters the normal development of their personality. When necessary, the judge may determine when, how and where this will be done".*

Assistance is regulated by article 218: *"Parents must provide children under their parental authority with moral and economic assistance if they are involved in juvenile or criminal proceedings and must cover the cost of their legal defence".*

Article 201 of the Penal Code includes a provision on non-fulfilment of obligations to provide economic support: *"A parent, adoptive parent or guardian of a child under 18 years of age or of a disabled person who deliberately fails to provide the essential means of subsistence required of him under a final enforceable civil judgement or an agreement concluded in the Office of the Procurator-General of the Republic or elsewhere, shall be punished by 10 to 30 week-days of community service".*

**Action taken**

In this area, the aim of the National Policy on Women is to strengthen the family as an entity that fosters equal opportunities for women and men, promoting an equitable sharing of responsibilities among family members of both sexes. The Office of the Procurator-General of the Republic and the National Secretariat for the Family are responsible for implementing this aspect of the Policy.

A preliminary document outlining the country's family policy was drawn up with the participation of the National Secretariat for the Family, the Salvadoran Institute for the Advancement of Women, the Salvadoran Institute for the Protection of Minors and the National Council for the Comprehensive Care of Disabled Persons.

A diagnosis was made of rural and urban Salvadoran families and problem areas were identified from the standpoint of gender, non-discrimination and equal opportunities for men and women.

Children of women users of the Office of the Procurator-General of the Republic were granted scholarships for high-school and vocational studies.

The Office of the Procurator-General of the Republic carried out programmes which achieved a 53 per cent increase in awards in paternity suits between January and November 1998.